

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:01CR61
)	
Plaintiff,)	
)	MEMORANDUM
vs.)	AND ORDER
)	
CHAD COY,)	
)	
Defendant.)	

The probation officer has advised me that the defendant was convicted of negligent child abuse as shown at paragraph 45 of the second revised presentence report, but he was found not guilty of sexual assault and false imprisonment. Therefore, and while the defendant's second revised presentence report requires other corrections, the criminal history category remains III and not II. As a result,

IT IS ORDERED that:

1. The court's previous order (filing 49) directing the probation officer to correct the second revised presentence report is amended to delete the requirement that the criminal history category be changed from III to II. The criminal history shall remain III.
2. Otherwise, the Court's previous order is unchanged and the probation officer shall complete the corrections as previously directed.
3. The Clerk of the Court shall send a certified and authenticated copy of this memorandum and order and the court's previous order (filing 49) to Mr. Coy at the prison address shown at filing 48.
4. Ms. Otto, the probation officer, shall be provided with a copy of this memorandum and order by my chambers.

DATED this 18th day of May, 2005.

BY THE COURT:
s/ Richard G. Kopf
United States District Judge